DeClare Metal Price Doc 71 Filed 10/24/19 Entered 10/24/19 15:33:40 Desc Main Robert T. DeMarco Document Page 1 of 18

Michael S. Mitchell 1255 West 15<sup>th</sup> St., 805 Plano, TX 75075 **T** 972-578-1400 **F** 972-346-6791

# IN THE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF TEXAS SHERMAN DIVISION

IN RE:	Case No.:	18-42287-BTR-11

FABRIC FANATICS, INC. Chapter: 11

27–1832718 624 Haggard Street, Suite 706 Plano, TX 75074

Debtor.

FIRST AND FINAL APPLICATION FOR ALLOWANCE OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES BY DEMARCO•MITCHELL, PLLC, FOR THE PERIOD OF OCTOBER 10, 2018, THROUGH SEPTEMBER 26, 2019

#### NOTICE

YOUR RIGHTS MAY BE AFFECTED BY THE RELIEF SOUGHT IN THIS PLEADING. YOU SHOULD READ THIS PLEADING CAREFULLY AND DISCUSS IT WITH YOUR ATTORNEY, IF YOU HAVE ONE IN THIS BANKRUPTCY CASE. IF YOU OPPOSE THE RELIEF SOUGHT BY THIS PLEADING, YOU MUST FILE A WRITTEN OBJECTION, EXPLAINING THE FACTUAL AND/OR LEGAL BASIS FOR OPPOSING THE RELIEF.

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY ONE (21) DAYS FROM THE DATE OF SERVICE SHOWN IN THE CERTIFICATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING WITH APPROPRIATE NOTICE. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

#### TO THE HONORABLE, UNITED STATES BANKRUPTCY COURT:

COMES NOW DeMarco Mitchell, PLLC ("DM"), bankruptcy counsel for Fabric Fanatics, Inc., ("Debtor") in the above-styled and numbered bankruptcy case and files this First and Final Application for Allowance of Attorneys' Fees and Reimbursement of Expenses by DeMarco Mitchell, PLLC, for the Period of October 10, 2018, Through September 26, 2019, (the "Application") for legal services rendered on behalf of the Debtor. DM seeks payment of fees in the amount of \$11,532.50 and the reimbursement of expenses of \$149.02 incurred during the period of October 10, 2018, through September 26, 2019. In support of this Application, DM avers as follows:

#### I. JURISDICTION

- 1. The Court has jurisdiction over the subject matter of this Motion pursuant to 28 U.S.C. §1334(b) and the standing order of reference of the District Court. This matter is a core proceeding. 28 U.S.C. § 157(b).
  - 2. Venue in this Court is proper under 28 U.S.C. §§ 1408 and 1409.

#### II. <u>BACKGROUND</u>

- 3. This case was commenced by the filing of a voluntary petition under Chapter 11 of the United States Bankruptcy Code on **October 10, 2018** (the "<u>Petition Date</u>").
- 4. No trustee or examiner has been appointed, and no official committee of creditors has yet been established.
- 5. The Debtor recently confirmed a plan of reorganization on **September 20, 2019**[Docket Entry No. 68].

#### III. RELIEF REQUESTED

6. By this Application and pursuant to section 330 of the Bankruptcy Code and Bankruptcy Rule 2016, DM is seeking an allowance of \$11,532.50 for reasonable attorneys' fees for professional services rendered during the period of October 10, 2018, through September 26, 2019, and for the sum of \$149.02 as reimbursement for reasonable expenses for a total award of \$11,681.52.

#### IV. CASE STATUS

- 7. The Debtor, since the Petition Date and with the aid of DM, focused its efforts on resolving all claims with its various secured lenders. During the course of the chapter 11 case all claims have been resolved and will be paid in full and restructured over a 5 year period. More specifically, the Debtor has:
  - a. Filed Schedules and Statements;
  - b. Successfully address and settle all disputes with its secured lenders as set forth the plan of reorganization;
  - c. Hired the professionals needed to attain confirmation, and more specifically to address certain divorce and tax related issues; and
    - d. Confirmed a chapter 11 plan of reorganization.

#### V. <u>HOURLY RATES</u>

The following professionals and paraprofessionals have rendered services on behalf of the Debtor at the below disclosed rates:

ATTORNEY	RATE / HOUR
Robert T. DeMarco (RTD)	\$350.00
Barbara Drake (BD)	\$125.00

#### VI. RETENTION AND COMPENSATION OF DEMARCO • MITCHELL, PLLC

- 8. Retention of DM. On November 9, 2018, Debtor filed its Debtor's Application for Order Authorizing Employment of DeMarco·Mitchell, PLLC as Counsel for the Debtor [11 U.S.C. § 327(a) and Federal Rule 2014(a)] [Docket No. 21]. The Court entered an order approving the Application on November 30, 2018 [Docket No. 26].
- 9. **Prior Compensation.** DM commenced representation of the Debtor on or about **October 8, 2018**. The Debtor, prior to the Petition Date, paid to DM a retainer fee against which certain prepetition costs and fees were offset as follows:
  - a. Retainer: \$6,717.00
  - b. Filing Fee: <\$1,717.00>
  - c. Prepetition Fees: <\$1,503.75 >
  - d. Prepetition Costs and Fees: <\$0.00>
  - e. Trust Balance: \$3,396.25
- 10. DM has not received any compensation from the Debtor during the postpetition period.
- 11. DM has no agreement of any kind, express or implied, to divide with any other person or entity any portion of the compensation sought or to be received by it in this case.
- 12. DM is seeking compensation pursuant to 11 U.S.C. § 330. No prior application for compensation or reimbursement has been filed by DM.

#### VII. LEGAL STANDARD

13. A professional employed by a debtor in possession may be awarded reasonable compensation for actual and necessary services performed by the professional and accorded first

prior distribution under 11 U.S.C. § 507. 11 U.S.C. § 330(a). In support of this request for allowance of compensation and reimbursement of expenses, DM respectfully directs this Court's attention to those factors generally considered by Bankruptcy Courts in awarding compensation to professionals for services performed in connection with the administration of a debtor's estate. Within the Fifth Circuit, that process is commonly referred to as the "lodestar method." *In re Fender*, 12 F.3d 480. 487 (5<sup>th</sup> Cir. 1994).

#### 14. As explained by the Fifth Circuit:

The calculation of attorney's fees involves a well-established process. First, the court calculates a "lodestar" fee by multiplying the reasonable number of hours expended on the case by the reasonable hourly rates for the participating lawyers. Louisiana Power & Light Co. v. Kellstrom, 50 F.3d 319, 324 (5th Cir.1995). The court then considers whether the lodestar figure should be adjusted upward or downward depending on the circumstances of the case. *Id.* In making a lodestar adjustment the court should look to twelve factors, known as the *Johnson* factors, after *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir.1974).

Migis v. Pearle Visions, Inc., 135 F.3d 1041, 1047 (5th Cir. 1998) (citations omitted).

- 15. The twelve *Johnson* factors are: (1) time and labor required, (2) novelty and difficulty of the issues, (3) skill required to perform the legal services properly, (4) preclusion of other employment, (5) customary fee, (6) whether the fee is fixed or contingent, (7) time limitations imposed by client or circumstances, (8) amount involved and results obtained, (9) experience, reputation and ability of the attorneys, (10) undesirability of the case, (11) nature and length of the professional relationship with the client, and (12) award in similar cases. *Id*.
- 16. In accord with the mandate of Bankruptcy Rule 2016(a), a description of the application of *Johnson* factors is set forth below.
- 17. <u>Time and Labor.</u> DM spent a total of **34.20** hours representing the Debtor in this case. The table below summarizes the fees billed by DM in this matter.

			Blended
Category	Time	Billed	Rate
Case Administration	5.85	\$1,942.50	\$348.12
First Day   Cash Collateral	10.50	\$3,517.50	\$335.00
Lease	3.25	\$1,085.00	\$333.85
Plan and Confirmation	14.60	\$4,987.50	\$341.61
Total Fees	34.20	\$11,532.50	\$337.21

- 18. **Novelty and Difficulty.** Many of the tasks performed by DM involved factual scenarios and legal questions of moderate difficulty.
- 19. Requisite Skill. DM believes that a practitioner unfamiliar with bankruptcy law would have been required to spend considerably more hours than DM's attorneys and professional staff to perform the same tasks.
- 20. **Preclusion From Other Employment.** DM has not necessarily had to decline representation of new clients as a result of this case. However, DM has had to devote fewer hours than desirable to other existing clients and has been required to delay working on matters that were of importance to other clients in order to address the pressing matters relating to this case.
- 21. <u>Customary Fee.</u> DM has applied for allowance of fees that reflect its customary billing rates charged to clients of DM. These rates are commensurate with the rates charged and approved in other bankruptcy proceedings pending in the Eastern District of Texas.
- 22. **Fixed or Contingent.** Contingencies concerning fees were: (1) achievement of a successful result; (2) Court approval of the fees requested; and (3) the possibility of non-payment of the approved fees.

- 23. <u>Time Limitations.</u> The time requirement of this case has been extensive at times. In many instances, this case required immediate responses that imposed time limitations on the attorneys and staff involved. Moreover, DM was expected to be available at the Debtor's convenience for informal conferences concerning the case progress and plan confirmation issues. DM believes that it has successfully handled the time limitations in this case, and has enabled this case to progress in an efficient manner.
- 24. **Amount Involved and Results Obtained.** When the Debtor retained DM, it was faced with the possible closure of all stores dues to obligations arising from certain guarantees associated with a prior business enterprise. With the assistance of DM, the Debtor has been able to relocate its operations and take other steps to reduce operational costs. As a result, the Debtor successfully confirmed its chapter 11 plan of reorganization.
- 25. **Experience.** DM limits its practice area to bankruptcy law and to matters involving the restructuring and settling of debt. DM represents both creditors and lenders in maters before this Court and throughout the State. DM's attorneys have ample experience representing Debtors under chapter 11 of the Bankruptcy Code so as to merit an award of the compensation requested herein.
- 26. <u>Undesirability.</u> As a whole, the representation of the Debtor incident to this case has been challenging. Further, the lack of funds to pay professional fees on a regular basis has likewise been challenging to DM.
- 27. Nature and Length of Professional Relationship with Client. DM did not have any relationship with the Debtor prior to its retention by the Debtor.

28. <u>Award in Similar Cases.</u> DM believes the fees incurred in representing the Debtor is consistent with, **or less than**, fees incurred in other similar cases.

#### VIII. PROJECT SUMMARY

29. The professional services rendered by DM for the subject billing period have been categorized into the following project areas:

Case Administration
First Day | Cash Collateral
Lease
Plan and Confirmation

- 30. Attached hereto as **Exhibit "A"** and incorporated herein by this reference is a detailed billing and summary of expenses.
- 31. Expenses totaled **\$149.02** and the legal fees incurred totaled **\$11,532.50**. The following is a description of the services rendered within each project area in conjunction with the total fees for which approval is sought:
  - a. <u>Case Administration (\$1.942.50).</u> This project category generally covers coordination and compliance activities, including preparation of statement of financial affairs, schedules, lists of contacts, U.S. Trustee interim statements and operating reports, contacts with the U.S. Trustee and general creditor inquiries. Additionally, it includes all matters related to the employment of professionals, including their compensation. The specific services rendered within this category related to:
    - i. Prepared schedules and statement of financial affairs;
    - ii. Assisted Debtor with preparation of debtor information sheet forU.S. Trustee Debtor Interview;
      - iii. Reviewed Debtor's Monthly Operating Reports;

- iv. Responded to various creditor requests for information and statusreports;
- v. Respond and resolve issues surrounding a case resolution deadline; and
  - vi. Employment and compensation of professionals.
- b. <u>First Day | Cash Collateral (\$3,517.50)</u>. This project category generally covers matters that needed to be addressed expeditiously after the Petition Date. The specific services rendered within this category related to:
  - i. First day matters prosecuted shortly after the Petition Date; and
  - ii. Cash collateral issues stemming from several interim cash collateral orders.
- c. <u>Lease (\$1,085.00)</u>. This project category generally covers matters that needed to be addressed concerning the Debtor's leased space and relocating to new more affordable premises. The specific services rendered within this category related to:
  - i. Review terms of new lease agreement;
  - ii. Work with Debtor on terms of new lease and help with questions concerning different locations and rental amounts; and
  - iii. File necessary motion to authorize the Debtor to enter into a new lease agreement.
- d. <u>Plan and Disclosure Statement (\$4,987.50).</u> This project category generally covers services related to the formulation of a plan and analysis of claims. The specific services rendered within this category related to:

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i. Worked on plan of reorganization and disclosure statement;

ii. Evaluated reorganization versus liquidation issues;

iii. Plan modeling and analysis of possible plans;

iv. Prepared plan of reorganization, ballot and solicitation letter;

revised and amended plan; and

v. Attended hearings to approve disclosure statement and confirm

plan of reorganization.

WHEREFORE, PREMISES CONSIDERED DeMarco • Mitchell, PLLC, prays that an award and

allowance on a final basis be made in the amount of \$11,532.50 and the reimbursement of

expenses of \$149.02; that the Court authorize DM to draw upon its retainer for payment of

\$3,396.25 of the allowed fees and expenses; and that the Court direct the Debtor pay the

remaining balance of the allowed fees and expenses of \$8,285.27; and for such other and further

relief as this Court might deem just and proper.

Respectfully submitted,

Dated: October 24, 2019

/s/ Robert T. DeMarco

DeMarco • Mitchell, PLLC

Robert T. DeMarco, Texas Bar No. 24014543

Email robert@demarcomitchell.com

Michael S. Mitchell, Texas Bar No. 00788065

 $\textbf{Email} \quad \text{mike@demarcomitchell.com}$ 

1255 W. 15<sup>th</sup> Street, 805

Plano, TX 75075

**T** 972-578-1400

**F** 972-346-6791

#### **CERTIFICATE OF SERVICE**

The undersigned counsel herby certifies that true and correct copies of the foregoing pleading and all attachments were served upon all parties listed below in accordance with applicable rules of bankruptcy procedure on this **24**<sup>th</sup> **day of October, 2019**. Where possible,

service was made electronically via the Court's ECF noticing system or via facsimile transmission where a facsimile number is set forth below. Where such electronic service was not possible, service was made via regular first class mail.

#### **DEBTOR**

#### Fabric Fanatics, Inc.

624 Haggard Street, Suite 706 Plano, TX 75074

#### **UNITED STATES TRUSTEE**

#### Office of the United States Trustee

110 N. College Avenue, Suite 300 Tyler, TX 75702

#### ADDITIONAL PARTIES IN INTEREST AND/OR PARTIES REQUESTING NOTICE

#### LiftFund

c/o DUNN, PLLC Attention: Ryan Dunn 405 Main Street, Suite 836 Houston, TX 77002

#### **Haggard Enterprises**

c/o Robert A. Miller Prager & Miller, P.C. 14911 Quorum Drive, 320 Dallas, TX 75254

#### **SEE ATTACHED MATRIX**

#### /s/ Robert T. DeMarco

#### DeMarco • Mitchell, PLLC

Robert T. DeMarco, Texas Bar No. 24014543

Email robert@demarcomitchell.com

Michael S. Mitchell, Texas Bar No. 00788065

Email mike@demarcomitchell.com

1255 W. 15<sup>th</sup> Street, 805

T 972-578-1400 F 972-346-6791

Plano, TX 75075

## **DeMarco Mitchell, PLLC**

**INVOICE** 

1255 West 15th Street, 805 Plano, Texas 75075

Invoice # 545 Date: 09/26/2019 Due Upon Receipt

Fabric Fanatics, Inc. 624 Haggard St., Suite 706 Plano, TX 75074

## 00084-Fabric Fanatics, Inc.

## **Chapter 11**

Туре	Date	Notes	Quantity	Rate	Total
Service	10/11/2018	First Day Matters - Misc.: work on cash collateral motion; email exchange with client re: budget.	0.90	\$350.00	\$315.00
Service	10/11/2018	First Day Matters - Misc.: Work on cash collateral motion; wages motion and motion for expedited hearing.	2.00	\$350.00	\$700.00
Expense	10/12/2018	Reimbursable expenses: Postage	1.00	\$8.46	\$8.46
Expense	10/12/2018	Reimbursable expenses: Copies	1.00	\$7.20	\$7.20
Service	10/12/2018	First Day Matters - Misc.: Revise and file first day motions.	0.70	\$175.00	\$122.50
Expense	10/15/2018	Reimbursable expenses: Postage	1.00	\$8.46	\$8.46
Expense	10/15/2018	Reimbursable expenses: Copies	1.00	\$7.20	\$7.20
Service	10/16/2018	First Day Matters - Misc.: Travel to and attend hearings on first day motions.	1.20	\$350.00	\$420.00
Service	10/16/2018	Motion - Cash Collateral: Email exchange with R. Dunn re: revisions to cash collateral order.	0.40	\$350.00	\$140.00
Service	10/18/2018	Case Administration: Email exchange with L. Anderson re: initial debtor interview.	0.10	\$0.00	\$0.00
Service	10/22/2018	Case Administration: Email exchange with L. Anderson re: calendaring issues for Initial Debtor Interview.	0.10	\$0.00	\$0.00
Service	10/23/2018	Motion - Cash Collateral: Email communication with R. Dunn re: adequate protection payments for LiftFund; email communication with L. Anderson re: same.	0.15	\$350.00	\$52.50
Service	10/23/2018	Motion - Cash Collateral: Email exchange and telephone call with R. Dunn re: adequate protection payments for Liftfund.	0.15	\$350.00	\$52.50



Service	10/24/2018	Case Administration: Email communication with L. Anderson and IDI.	0.10	\$350.00	\$35.00
Service	10/25/2018	Case Administration: Email exchange with L. Anderson re: not available for rescheduled Initial Debtor Interview - Flu.		\$0.00	\$0.00
Service	10/25/2018	Case Administration: Conference call for Initial Debtor Interview.	1.20	\$350.00	\$420.00
Service	10/26/2018	Case Administration: Telephone call with L. Anderson re: profit and loss statements.	0.10	\$350.00	\$35.00
Service	10/30/2018	Motion - Cash Collateral: Draft second interim cash collateral order.	0.30	\$350.00	\$105.00
Service	10/31/2018	Motion - Cash Collateral: Telephone call with R. Dunn re: cash collateral.	0.20	\$350.00	\$70.00
Service	10/31/2018	Motion - Cash Collateral: Draft agreed second interim cash collateral order.	0.40	\$350.00	\$140.00
Service	10/31/2018	Motion - Cash Collateral: Email communication with R. Dunn re: agreed cash collateral order.	0.10	\$350.00	\$35.00
Service	10/31/2018	Motion - Cash Collateral: Email exchange and telephone call with R. Dunn re: final cash collateral budget and upcoming hearing.	0.20	\$350.00	\$70.00
Service	11/01/2018	Motion - Cash Collateral: Travel to and attend hearing on second interim agreed cash collateral order.	1.20	\$350.00	\$420.00
Service	11/01/2018	Motion - Cash Collateral: Revise and upload agreed cash collateral order.	0.20	\$175.00	\$35.00
Service	11/01/2018	Motion - Cash Collateral: Travel to and attend cash collateral hearing.	1.00	\$350.00	\$350.00
Expense	11/09/2018	Reimbursable expenses: Copies	1.00	\$24.20	\$24.20
Expense	11/09/2018	Reimbursable expenses: Postage.	1.00	\$10.34	\$10.34
Expense	11/09/2018	Reimbursable expenses: Copies	1.00	\$30.60	\$30.60
Expense	11/09/2018	Reimbursable expenses: Postage	1.00	\$8.46	\$8.46
Service	11/09/2018	Case Administration: Draft and file application to employ firm.	0.90	\$350.00	\$315.00
Service	11/14/2018	Leases   Executory Contracts: Telephone call with L. Anderson re: lease; monthly payments; eventual rejection; and paying with cashier's check.	0.20	\$350.00	\$70.00
Service	11/14/2018	Leases   Executory Contracts: Telephone call with R. Miller re: lease payment for November.	0.10	\$350.00	\$35.00



Service	11/15/2018	Leases   Executory Contracts: Telephone call with L. Anderson re: lease assumption/rejection and upcoming 341 hearing.	0.20	\$350.00	\$70.00
Service	11/15/2018	Leases   Executory Contracts: Email exchange and telephone call with R. Miller re: non-residential real property lease.		\$350.00	\$87.50
Service	11/15/2018	Leases   Executory Contracts: Email exchange and telephone call with L. Anderson re: lease with Haggard.	0.15	\$0.00	\$0.00
Service	11/16/2018	Case Administration: Travel to and attend first meeting of creditors.	1.00	\$350.00	\$350.00
Service	11/21/2018	Case Administration: Email exchange and telephone call with L. Anderson re: operating report and insurance requirements.	0.20	\$350.00	\$70.00
Service	11/27/2018	Motion - Cash Collateral: Travel to and attend cash collateral hearing.	1.00	\$350.00	\$350.00
Service	11/28/2018	Motion - Cash Collateral: Draft third interim cash collateral order.	0.30	\$350.00	\$105.00
Service	11/28/2018	Motion - Cash Collateral: Email exchange with R. Dunn re: third interim cash collateral order and budget.	0.10	\$350.00	\$35.00
Service	11/28/2018	Case Administration: Email exchange with L. Anderson re: certificate of insurance.	0.10	\$350.00	\$35.00
Service	12/12/2018	Leases   Executory Contracts: Email exchange with R. Miller re: missed lease payment.	0.15	\$350.00	\$52.50
Service	12/12/2018	Leases   Executory Contracts: Telephone call with L. Anderson re: lease situation with Haggard.	0.10	\$350.00	\$35.00
Service	01/31/2019	Leases   Executory Contracts: Email communication with L. Anderson re: Haggard Lease and relocating.	0.15	\$350.00	\$52.50
Service	02/22/2019	Leases   Executory Contracts: Email exchange and telephone call with L. Anderson re: entering into new lease.	0.20	\$350.00	\$70.00
Service	02/22/2019	Case Administration: Email exchange with L. Anderson re: correcting operating reports.	0.20	\$350.00	\$70.00
Service	03/08/2019	Leases   Executory Contracts: Draft and file motion for authority to enter into new lease.	1.20	\$350.00	\$420.00
Service	03/08/2019	Leases   Executory Contracts: Review new lease proposal.	0.35	\$350.00	\$122.50
Expense	03/12/2019	Reimbursable expenses: Copies	336.00	\$0.10	\$33.60
Expense	03/12/2019	Reimbursable expenses: Postage	21.00	\$0.50	\$10.50



Service	04/02/2019	Leases   Executory Contracts: Email exchange and telephone call with L. Anderson re: Haggard, property inspection, and status of rejecting lease etc.	0.20	\$350.00	\$70.00
Service	04/04/2019	Case Administration: Review US Trustee Motion to Dismiss.	0.20	\$350.00	\$70.00
Service	04/25/2019	Case Administration: Email exchange with T. O'Neal re: motion to dismiss.	0.10	\$350.00	\$35.00
Service	04/26/2019	Case Administration: Work out terms with Tim O'Neal to resolve US Trustee motion to dismiss.	0.20	\$350.00	\$70.00
Service	04/29/2019	Case Administration: Work with L. Anderson to help cure deficiencies that were basis of US Trustee motion to dismiss.	0.30	\$350.00	\$105.00
Service	05/13/2019	Case Administration: Telephone call with L. Anderson re: quarterly fees.	0.10	\$350.00	\$35.00
Service	05/13/2019	Case Administration: Email communication with T. O'Neal re: quarterly fees.	0.05	\$350.00	\$17.50
Service	07/19/2019	Case Administration: Email communication with S. Simpson re: estimated sales tax delinquency.	0.10	\$350.00	\$35.00
Service	07/30/2019	Case Administration: Draft and file motion to extend plan confirmation deadline.	0.70	\$350.00	\$245.00
Service	07/31/2019	Plan   Confirmation: Work on plan and disclosure statement.		\$350.00	\$2,275.00
Service	08/05/2019	Plan   Confirmation: Finalize plan and disclosure statement. Draft motion for tentative approval of disclosure statement.	4.00	\$350.00	\$1,400.00
Service	08/06/2019	Plan   Confirmation: file plan and disclosure statement and motion for conditional approval.	0.35	\$0.00	\$0.00
Service	08/26/2019	Plan   Confirmation: Email communication with S. Rasco re: upcoming hearing on extending plan confirmation deadline.	0.10	\$350.00	\$35.00
Service	08/27/2019	Plan   Confirmation: Travel to and attend hearing on motion to extend plan confirmation deadline.	0.65	\$350.00	\$227.50
Service	09/18/2019	Plan   Confirmation: Draft ballot tally; prepare exhibits for confirmation hearing; 1129(b) analysis for Navista; and revise confirmation order.	1.40	\$350.00	\$490.00
Service	09/19/2019	Plan   Confirmation: Travel to and attend confirmation hearing.	1.40	\$350.00	\$490.00
Service	09/19/2019	Plan   Confirmation: Revise and upload confirmation order.	0.20	\$350.00	\$70.00

Total \$11,681.52



## **Detailed Statement of Account**

#### **Current Invoice**

Invoice Number	Due On	Amount Due	Payments Received	Balance Due
545	09/26/2019	\$11,681.52	\$0.00	\$11,681.52
			Outstanding Balance	\$11,681.52
			Amount in Trust	\$3,396.25
			Total Amount Outstanding	\$8,285.27

Please make all amounts payable to: DeMarco Mitchell, PLLC

Payment is due upon receipt.



Case 18-42287 Label Matrix for local noticing 0540-4 Case 18-42287 Eastern District of Texas Sherman Thu Oct 24 13:25:40 CDT 2019

Attorney General of Texas Taxation Division - Bankruptcy Box 12548 Capitol Station Austin, TX 78711-2548

Collin County Tax Assessor/Collector C/O Abernathy et al 1700 N. Redbud Blvd., 300 McKinney, TX 75069-3276

Fabric Fanatics, Inc. 910 W. Parker Road, Suite 325 Plano, TX 75075-2385

Haggard Enterprises 800 Central Pkwy. E., Ste. 100 Plano, TX 75074-5578

Courtney Hull Office of the Attorney General 300 West 15th Street Austin, TX 78701-1649

Kenneth L. Maun Tax Assessor Collector Collin County PO Box 8046 McKinney, TX 75070-8046

Leslie Dean Anderson 3113 McBee Dr. Plano, TX 75025-3621

Robert A. Miller Prager & Miller, P.C. 14911 Quorum Dr. Suite 320 Dallas, TX 75254-1482

Timothy W. O'Neal Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702-7231

Doc 71 Filed 10/24/19 Entered 10/24/19 15:33:40 Desc Main Lisa Document Page 17 of 18 3113 McBee Dr. Plano, TX 75025-3621

> COLLIN COUNTY TAX ASSESSOR/COLLECTOR Abernathy, Roeder, Boyd & Hullett, P.C. 1700 Redbud Blvd., Suite 300 McKinney, TX. 75069-3276

Comptroller of Public Accounts C/O Office of the Attorney General Bankruptcy - Collections Division MC-008 PO Box 12548 Austin TX 78711-2548

Frontier Communications PO Box 5166 Tampa, FL 33675-5166

Haggard Enterprises Limited, LTD c/o Robert A. Miller Prager & Miller P.C. 14911 Quorum Dr. Suite 320 Dallas Texas 75254-1482

Internal Revenue Service -Centralized Insolvency Operations PO Box 7346 Philadelphia, PA 19101-7346

Lendr, LLC Ryan Flynn 153 W. Ohio St., 5th Floor Chicago, IL 60654-4755

Lift Fund SBA Loan 2007 W Martin St. San Antonio, TX 78207-2630

Navitas Lease Copr. PO Box 3491 Ponte Vedra Beach, FL 32004-3491

100 F Street, NE Washington, DC 20549-2001

Attorney General of Texas Bankruptcy Reporting Contact OAG/CSD/Mail Code 38 P.O. Box 12017 Austin, TX 78711-2017

Chase PO Box 15298 Wilmington, DE 19850-5298

Robert T. DeMarco DeMarco-Mitchell, PLLC 1255 West 15th St., 805 Plano, TX 75075-7225

(p) FRONTIER COMMUNICATIONS BANKRUPTCY DEPT 19 JOHN STREET MIDDLETOWN NY 10940-4918

Haggard Enterprises Limited, Ltd. Robert A. Miller, Prager & Miller, PC 14911 Quorum Dr., Suite 320 Dallas, TX 75254-1482

Kabbage-Celtic Bank PO Box 77081 Atlanta, GA 30357-1081

Lendr.online, LLC 153 West Ohio Street 5th Floor Chicago, IL 60654-4785

Merchant Source, Inc. 153 West Ohio Street 5th Floor Chicago, IL 60654-4785

Navitas Lease Corp PO Box 3491 Ponte Vedra Beach, FL 32004-3491

Texas Comptroller of Public Accounts Courtney J. Hull c/o Sherri K. Simpson, Paralegal P.O. Box 12548 Austin, TX 78711-2548

 $\begin{array}{c} \text{Case 18-42287} \\ \text{Texas Comptroller of Public Accounts} \end{array}$ Office of the Attorney General Bankruptcy Collections Div. P.O. Box 12548, MC-008 Austin, TX 78711-2548

**US** Trustee Office of the U.S. Trustee 110 N. College Ave. Suite 300 Tyler, TX 75702-7231

John M. Vardeman UST Office 110 N. College St., Suite 300 Tyler, TX 75702-7231

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> United States Attorney 110 North College Ave., Ste. 700 Tyler, TX 75702-0204

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United States Trustee 110 North College Ave., Ste. 300 Tyler, TX 75702-7231

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Frontier Communications Bankruptcy Dept 19 John St Middletown, NY 10940

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d) Chase PO Box 15298

Wilmington, DE 19850-5298

(d) Kabbage-Celtic Bank PO Box 77081 Atlanta, GA 30357-1081

(d) Frontier Communications PO BOx 5166 Tampa, FL 33675-5166

(d) Lendr. online, LLC 153 West Ohio Street 5th Floor Chicago, IL 60654-4785

(d) Haggard Enterprises Limited, LTD\ c/o Robert A. Miller Prager & Miller P.C. 14911 Quorum Dr. Suite 320 Dallas Texas 75254-1482

(d) Lisa Anderson 3113 McBee Dr. Plano, TX 75025-3621

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